

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER HARRIS,

Plaintiff,

v.

AMERICAN FAMILY INSURANCE, *et al.*,

Defendants.

Cause No. C23-1052RSL

ORDER TO SHOW CAUSE


This matter comes before the Court *sua sponte*. On August 1, 2023, plaintiff's application to proceed *in forma pauperis* was granted (Dkt. # 7), and his complaint was accepted for filing (Dkt. # 8). Plaintiff alleges that he was injured in a car accident on October 15, 2022, as a result of defendant Barbara Farrand's negligence, that he has incurred medical bills of approximately \$20,000, and that defendant Lauren Zakowski, American Family Insurance's claims adjuster, has been unprofessional and low-balled two settlement offers. The complaint does not allege any federal causes of action, does not identify the citizenship of any of the parties, and does not give rise to a plausible inference that the amount in controversy exceeds \$75,000.

Because federal courts have limited jurisdiction, "[a] federal court is presumed to lack jurisdiction in a particular case unless the contrary affirmatively appears." *Stock W., Inc. v. Confederated Tribes*, 873 F.2d 1221, 1225 (9th Cir. 1989). Plaintiff has the burden of alleging facts sufficient to establish the Court's jurisdiction. He has not done so. In the absence of a

1 viable federal claim, plaintiff must allege facts sufficient for the Court to find both (i) that the
2 amount in controversy exceeds \$75,000 and (ii) that there is complete diversity of citizenship
3 between the plaintiff and each of the named defendants. 28 U.S.C. § 1332(a); *Kuntz v. Lamar*
4 *Corp.*, 385 F.3d 1177, 1181 (9th Cir. 2004).
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7 Plaintiff is hereby ordered to show cause why this matter should not be dismissed for
8 having failed to provide evidence establishing that it is more likely than not that the Court has
9 jurisdiction to hear the case. Plaintiff's response, if any, is due on or before Wednesday, August
10 23, 2023. The Clerk of Court is directed to note this Order to Show Cause on the Court's
11 calendar for Friday, August 25, 2023.
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14 Dated this 7th day of August, 2023.

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16 Robert S. Lasnik
17 United States District Judge
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